



IT IS ORDERED as set forth below:

Date: July 23, 2010

Wendy L. Hagenau

Wendy L. Hagenau
U.S. Bankruptcy Court Judge

//

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:

CASE NO. 10-74485-WLH

THOMAS KEITH SAMUEL,
KAMEELAH MARTIN SAMUEL,
Debtors.

CHAPTER 7

U.S. BANK, N.A.,
Movant.

v.

CONTESTED MATTER

THOMAS KEITH SAMUEL,
KAMEELAH MARTIN SAMUEL,
MARTHA A. MILLER, ESQ., Trustee,
Respondents.

ORDER ON MOTION FOR RELIEF FROM STAY

Movant filed a Motion for Relief from Stay June 29, 2010, together with a Notice of Hearing set for July 15, 2010 (Doc. No. 17), regarding Debtors' real estate located at 7414 Gossamer Drive, Union City, GA 30291 (the "Property") and contends service was proper upon the above-captioned Respondents. Respondents did not oppose Movant's Motion; accordingly, it is hereby

ORDERED that Movant's Motion for Relief from Stay is GRANTED: the automatic stay of 11 U.S.C. §362 (a) pertaining to the Property is modified to allow Movant to exercise its rights under the power of sale provisions contained in the Security Deed and as provided for by the laws of the State of Georgia including, but not limited to, advertising to effectuate a foreclosure sale at the earliest possible date and gaining possession of the Property; provided, however, that any proceeds resulting from the disposition of the Property in excess of the lawful claim of Movant under its Note and Security Deed and any excess funds due to a subordinate lienholder under state law shall be promptly remitted to the Trustee for the benefit of the Estate. It is further

ORDERED that the stay of Rule 4001(a)(3) is modified so that Movant may immediately proceed under this Order.

[END OF DOCUMENT]

PRESENTED BY:

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